



4-6-04

1631

Docket No. 104.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Eugene S. Pearlman

SERIAL NO.: 09/303,315

Group Unit:1631

FILED: April 30, 1999

Ex: Lori A. Clow

FOR: ALGORITHMIC TESTING IN LABORATORY MEDICINE

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**2<sup>nd</sup> PRELIMINARY AMENDMENT- Response to Office Communication**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Applicant files the following amendments in response to the Office Communication mailed on April 2, 2004, stating that claim 12 was listed as "original" and claim 18 as "previously amended" – thus being non compliant with 37 CFR 1.121.

Applicant's attorney thanks Examiner Lori Clow and her Supervisor, Marjorie Moran for their constructive suggestions during the interview on March 30, 2004. Accordingly, applicant submits herewith claims 26 and 27 to cover the mistakenly cancelled claims 12 and 18 respectively. Claim 1, (e) is amended as advised. Applicant's attorney apologizes for the informalities and submits the claims below.